1	THOMAS A. ERICSSON, ESQ.				
2	Nevada Bar No. 4982				
2	ORONOZ & ERICSSON LLC				
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4	Telephone: (702) 878-2889				
5	Facsimile: (702) 522-1542 tom@oronozlawyers.com				
6					
7	UNITED STATES DISTRICT COURT				
	DISTRICT OF NEVADA				
8					
9) CASE NO. 2.21 00225 CMN NIK			
.	UNITED STATES OF AMERICA,) CASE NO: 2:21-cr-00225-GMN-NJK			
10		STIPULATION TO CONTINUE			
11	Plaintiff,	TIME TO FILE DEFENDANT'S			
12	vs.	OBJECTIONS TO REPORT AND			
12) RECOMMENDATION			
13	MAURICE HOLMES,)			
14		(First Request)			
	Defendant.)			
15		_)			
16	TE IC HEDEDY CEIDIN ATED AND	ACREED 1 MAURICE HOLMES 1 1			
17	IT IS HEREBY STIPULATED AND AGREED by MAURICE HOLMES, by and				
18	through his attorney, THOMAS A. ERICSSON, ESQ., of Oronoz & Ericsson LLC, and the				
	UNITED STATES OF AMERICA, by and through KENNETH NICHOLAS PORTZ, ESQ.,				
19	Assistant United States Attorney, that the deadline for Defendant's objections to the Report				
20	and Recommendation filed with this court on August 15, 2022 [Document No. 58], currently				
21					
22	scheduled for August 29, 2022, be vacated and continued for three (3) days to September 1,				
	2022. The request for a continuance is based u	pon the following:			
23					
24	1. Trial in this matter is currently	set for December 19, 2022, at 9:30 a.m.			
25	2. Defendant is in custody and does not object to the requested extension.				
26	2. Determine is in easierly und do	25 101 00ject to the requested extension.			
-0	///				
27					

1	3.		ce Holmes has spoken to Assistant United States	
2		Attorney Kenneth Nicholas continuance.	Portz, and the Government has no objection to the	
3	4.	Defense council requires of	ditional time to finalize the Objections with Mr.	
4	4.	Holmes, who has had limited	d access to contacting his lawyer from the Pahrump	
5			days. Mr. Holmes wants to review the content of d has made arrangements to contact counsel on	
6		August 31 to finalize his rev	<u> </u>	
7	5.	The additional time requested herein is not sought for purposes of undue delay.		
8	6. Additionally, denial of this request to extend briefing schedule could result in			
9			e additional time requested by this Stipulation is time within which the trial herein must commence	
10		pursuant to the Speedy Tr	rial Act, Title 18, United States Code, Section	
11		Section 3161(h)(7)(A), considering Section 3161(h)(7)(B)(i), (iv	the factors under Title 18, United States Code, v).	
12				
13	Dated: August 29, 2022			
14	Respectfully	submitted,		
15				
16	/s/ Thomas A. Ericsson Thomas A. Ericsson, Esq. ORONOZ & ERICSSON, LLC 9900 Covington Cross Drive, Suite 290 Las Vegas, Nevada 89144		/s/ Kenneth Nicholas Portz Kenneth Nicholas Portz, Esq. Assistant United States Attorney 501 Las Vegas Boulevard, Suite 1100 Las Vegas, Nevada 89101	
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19	Attorney for Defendant Maurice Holmes Attorney for the United States of America			
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7	UNITED STATES DISTRICT COURT DISTRICT OF NEVADA					
8						
9	UNITED ST	TATES OF AMERICA,)			
10		,) CASE NO: 2:21-cr-00225-GMN-NJK			
10		Plaintiff,) FINDINGS OF FACT, CONCLUSIONS			
11	vs.		OF LAW, AND ORDER			
12	MAURICE	HOLMES,	}			
13						
		Defendant.	<u> </u>			
14		2 orondana.				
15			_'			
16	Based on the pending Stipulation of counsel, and good cause appearing, therefore, the					
17	Court finds:					
18	1.	Trial in this matter is currently set for December 19, 2022, at 9:30 a.m.				
19	2.	2. Defendant is in custody and does not object to the requested extension.				
20	3.	3. Defense counsel for Maurice Holmes has spoken to Assistant United States				
21	Attorney Kenneth Nicholas Por		tz, and the Government has no objection to the			
		continuance.				
22	4.	Defense counsel requires addit	ional time to finalize the Objections with Mr.			
23		Holmes, who has had limited access to contacting his lawyer from the Pahrump detention center the last 10 days. Mr. Holmes wants to review the content of Objections before filing and has made arrangements to contact counsel on				
24						
25	Objections before fining and na					
26	5.	The additional time requested herein is not sought for purposes of undue delay.				
	J.	The additional time requested in	erem is not sought for purposes of undue delay.			
27	6.	Additionally, denial of this request to extend briefing schedule could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence				
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pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

CONCLUSION OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defense in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within which to be able to prepare effectively and thoroughly for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

ORDER

IT IS FURTHER ORDERED that the deadline for Defendant's objections to the Report and Recommendation filed with this court on August 15, 2022 [Document No. 58], currently scheduled for August 29, 2022, be vacated and continued for three (3) days to September 1, 2022.

IT IS SO ORDERED nunc pro tunc.

Dated this 30 day of August, 2022

23 24

25 Gloria M. Navarro, District Judge

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UNITED STATES DISTRICT COURT

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